

IN RE: PETITION FOR SPECIAL HEARING  
30/Corner Taylor & Dorsey Aves.  
(6 Taylor Avenue)  
15th Election District  
5th Councilmanic District  
Mark William Stoecker  
Petitioner

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 90-4-SPH

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Petitioner herein requests a special hearing to approve the nonconforming use of the subject property for commercial purposes, as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared and testified. Also appearing on behalf of the Petition was Kimberly Piper, with the Baltimore County Economic Development Commission. There were no Protestants.

Testimony indicated that the subject property consists of 7,250 sq.ft. zoned D.R. 5.5 and is improved with a single family dwelling unit facing Dorsey Avenue, a garage, and a separate commercial building facing Taylor Avenue, which is the subject of this Petition. Mr. Stoecker testified he purchased the property in January 1989 and has made considerable improvements to the site. He is desirous of establishing the nonconforming use of the commercial building known as 6 Taylor Avenue. To support his claim, Mr. Stoecker introduced the affidavit of Norman Neimiller, grandson of Mr. & Mrs. Neimiller the previous owners of the subject property from 1934 to approximately 1957. The younger Neimiller indicated that the property was used by his grandparents initially as a grocery store and thereafter as a barber shop. Also supporting Petitioner's claim was Petitioner's Exhibit 3 which is a statement from Ann Ward Tarkinson indicating her parents owned the subject property from 1957 to the death of her father

in 1982. Ms. Tarkinson further states that her father used the property as a barber shop and that after his demise, the property was rented to an insurance agency.

In further support of his request, Mr. Stoecker submitted numerous affidavits from residents of the area who verified the use of the commercial building for commercial purposes was continuous and without interruption. One such example was the affidavit from Louise and Mary Hill whose statement indicated that they have owned and resided on the property known as 500 Dorsey Avenue for 48 years. Their statement verified that since approximately 1934/35 the rear building known as 6 Taylor Avenue has been commercially used continuously and without interruption. Additionally, many of the statements received by residents in the area were in support of Mr. Stoecker's request due to his efforts to improve and renovate the previously dilapidated condition of the property.

Zoning came officially to Baltimore County on January 2, 1945, when, pursuant to previous authorization by the General Assembly, the County Commissioners adopted a comprehensive set of zoning regulations.

The Commissioners were first authorized to adopt comprehensive planning and zoning regulations in 1939 (Laws of Maryland, 1939, ch. 715). At the next biennial session of the General Assembly, this authorization was repealed, and a new authorization was enacted (Laws of Md., 1941, ch. 247). Before any such regulations were issued, the Legislature authorized the Commissioners to make special exceptions to the regulations (Laws of Md., 1943, ch. 877). The first regulations were adopted and took effect on January 2, 1945. See Kahl v. Cons. Gas Elec. Light. and Pwr. Co., 191 Md. 249, 254, 60 A.2d 754 (1948); Calhoun v. County Board of Appeals, 262 Md. 265, 277 A.2d 589 (1971).

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Section 11 of those regulations created seven zones, four being residential, one commercial, and two industrial. See McKemy v. Baltimore County, Md., 39 Md. App. 257, 385 A.2d 96 (1978).

Those original regulations provided for nonconforming uses. The statute read as follows:

"A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue, provided, however, upon any change from such nonconforming use to a conforming use, or any attempt to change from such nonconforming use to a different nonconforming use or any discontinuance of such nonconforming structure shall be damaged by fire or otherwise to the extent of seventy-five (75%) percent of its value, the right to continue to resume such nonconforming use shall terminate, provided, however, that any such lawful nonconforming use may be extended or enlarged to an extent not more than once again the area of the land used in the original nonconforming use." Section XI, 1945, B.C.Z.R.

Baltimore County adopted a new set of comprehensive zoning regulations on March 30, 1955. The issue of nonconforming uses are dealt with in Section 104 of those regulations. The Section then read:

"104.1 - A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75%) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used."

Section 104.1 was changed to its current language on March 15, 1976 by Bill No. 18-76. The current effective regulation reads as follows:

"A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in

- 3 -

these Regulations; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75%) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used. (B.C.Z.R., 1955; Bill No. 18, 1976)"

On August 4, 1980, the current language found in Section 104.2 was added to the B.C.Z.R. by Bill No. 167-80. This regulation placed an exception upon the general nonconforming rule for Special Exception office buildings. Said provision is inapplicable in this instance and will not be addressed herein.

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered nonconforming. See McKemy v. Baltimore County, Md., 39 Md. App. 257, 385 A.2d 96 (1978).

When the claimed non-conforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual

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change from the prior legal use. In order to decide whether or not the current activity is within the scope of the non-conforming use, the Zoning Commissioner should consider the following factors:

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original non-conforming use;

(b) Is the current use merely a different manner of utilizing the original non-conforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original non-conforming use."

McKemy v. Baltimore County, Md., Supra.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of September, 1989 that the Petition for Special Hearing to approve the nonconforming use of the subject property for commercial purposes, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The relief granted herein is limited to the nonconforming use of the building known as 6 Taylor Avenue (and/or 6 North Taylor Avenue).

3) The commercial use granted herein is limited to office and retail uses.

AMN:bjs

ANN M. NASTAROWICZ  
ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

September 7, 1989

Mr. Mark M. Stoecker  
6 Taylor Avenue  
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL HEARING  
30/Corner Taylor and Dorsey Avenues  
(6 Taylor Avenue)  
15th Election District - 5th Councilmanic District  
Mark William Stoecker - Petitioner  
Case No. 90-4-SPH

Dear Mr. Stoecker:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ  
ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: Ms. Kimberly Piper  
Economic Development Commission  
People's Counsel  
File

**PETITION FOR SPECIAL HEARING**  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the Non-Conforming Commercial Use of the building at 6 Taylor Ave.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Mark William Stoecker
Signature	Mark William Stoecker
Address	6 Taylor Ave.
City and State	Balt. Maryland 21221
Attorney for Petitioner:	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
(Type or Print Name)	Mark William Stoecker
Signature	202 Woodward Dr.
Address	21221
City and State	Baltimore
Attorney's Telephone No.:	291-2756

ORDERED By The Zoning Commissioner of Baltimore County, this 3 day of MAY, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20 day of MAY, 1989, at 9:30 o'clock A.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County



# AZIMUTH CONSULTANTS

## ZONING DESCRIPTION

Non-Conforming Use

- Beginning at the southwesterly corner of the intersection of Taylor Avenue, 50 feet wide, and Dorsey Avenue, 50 feet wide, thence running with and binding on Taylor Avenue,
- 1) South 21 degrees 10 minutes 30 seconds East 145 feet to the North side of a 10 foot alley, thence running with and binding on said alley;
  - 2) South 68 degrees 49 minutes 30 seconds West 50 feet, thence
  - 3) North 21 degrees 10 minutes 30 seconds West 145 feet, to the south side of Dorsey Avenue, thence running with and binding on Dorsey Avenue;
  - 4) North 68 degrees 49 minutes 30 seconds East 50 feet to the point of beginning.
- Being Lot 17, Block "I", Section "A" in the Subdivision of "Essex" recorded in Plat Book W.P.C. No. 3 folio 15.
- Also known as 421 Dorsey Avenue and 6 Taylor Avenue in the 15th Election District.
- Containing 7,250 square feet or 0.1664 acres of land, more or less.



120 Cockeysville Road / Suite 105 / Hunt Valley, Maryland 21031 / (301) 785-2300

## CERTIFICATE OF PUBLICATION

TOWSON, MD. June 25, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 22, 1989.

THE JEFFERSONIAN

S. Zeke Orlan  
Publisher

P.O. 13585  
M30973  
90-4-SPH  
price \$ 37.43

QTE TIMES, INC.

9806 Belair Road  
Baltimore, Maryland 21236

PUBLISHED BY THE SHIELD PRESS INC.

Reg. Advertising Medium

Baltimore County Maryland

Office of Finance

Room 150 Court House

Towson, Md. 21204 -4665

P.O. NO. 13586 June 22

TEL. NO.

ORDERED BY

S. C. Petition

Mark William Stoecker

EXQ M 30972

BILLING

AMOUNT DUE

\$ 23.63

MAKE CHECKS

PAYABLE TO

THE ESSEX

TIMES, INC.

DATED TO RUN

6/22/89

6/27/89

6/30/89

7/3/89

7/10/89

7/17/89

7/24/89

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8/7/89

8/14/89

8/21/89

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10/28/93

11/4/93

11/



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 12, 1989  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting  
for May 2, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 449, 450, 452, 455, 456, 457, 459.

For items 451 and 453 the previous County Review Group comments are still valid.

Comments are attached for item 458.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

KWB:s  
Encl.

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: July 19, 1989  
Zoning Commissioner

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case No. 90-4-SPH  
Item No. 449

Re: Mark William Stoecker

The Petitioner requests a special hearing to establish the nonconforming use of the building at 6 Taylor Avenue. In reference to this request, staff offers the following comments:

The specific use of the building should be identified on the site plan and in the Order.

A:72089.txt Pg.1

ZONING COMMISSION

I am the new owner of the property at 421 Dorsey Avenue also known as 6 Taylor Avenue. The property has a residential house facing Dorsey Avenue and a commercially used building facing Taylor Avenue.

Through my efforts of digging up the history of this building, I have found that the building facing Taylor Avenue was constructed in the early nineteen-thirties by the owners at that time, Mr. & Mrs. Neimiller. They opened up a grocery store in half of the building and rented out the other half. I have signed letters from the grandson of the Neimillers and from an elderly woman in the neighborhood that this grocery store existed.

While doing work to the building myself, I found newspapers used as insulation in the walls of the third and final addition to the building all dating 1938.

The property was purchased from the Neimillers in 1957 by Mr. & Mrs. Ward. Mr. Ward opened up a barber shop approximately one month after purchasing the property and had it open until his death in 1982. Since then the building has been continuously used for commercial purposes. It has been rented out to an insurance agency, a locksmith, a financial planner, a printing company, a jewelry store and when I took over the property it was being used as a grocery store.

The property is in the revitalization district of Essex and has the backing of the Essex Development Corporation. I also have the support of the Economic Development Commission which has informed me that they will be submitting a report to you after my filing.

THANK YOU,

*Mark William Stoecker*  
Mark William Stoecker

TO WHOM IT MAY CONCERN,  
I/WE THE UNDERSIGNED HAVE OWNED/RESIDED AT THE PROPERTY AT 1615 Maryland Ave Apt 21121 FOR APPROXIMATELY 10 YEARS. I/WE ARE AWARE THAT THE BUILDING AT 6 N. TAYLOR AVENUE HAS BEEN USED FOR COMMERCIAL PURPOSES. FURTHERMORE, IT IS ACCEPTABLE TO ME/US THAT THE PROPERTY SHALL CONTINUE TO BE USED FOR SUCH PURPOSES.  
I/WE ARE LOCATED 3 blocks FROM THE SUBJECT PROPERTY.

THANK YOU,

*Kenneth R. Neimiller*

REMARKS:

*File building was built by my grandparents in 1934. It was used for a grocery store and barber shop ever since.*

*Petitioner's Exhibit 2*

Mark Stoecker  
202 Woodward Drive  
Baltimore, MD 21221

To whom it may concern:

The property purchased by Mr. Stoecker at one time was owned by my parents, Walter A. and Alma G. Ward. The building standing on Taylor was occupied by my father, who was a barber, from approximately October, 1957 until his death in 1982. After his death, the property was rented from my mother by an insurance agency, and to my knowledge has since been occupied by some kind of business establishment ever since.

Sincerely yours,  
*Ann Ward Tarkenton*  
Ann Ward Tarkenton

*Petitioner's Exhibit 3*

TO WHOM IT MAY CONCERN,

I/WE THE UNDERSIGNED HAVE OWNED/RESIDED AT THE PROPERTY AT 1615 Maryland Ave Apt 21121 FOR APPROXIMATELY 10 YEARS. I/WE ARE AWARE THAT THE BUILDING AT 6 N. TAYLOR AVENUE HAS BEEN USED FOR COMMERCIAL PURPOSES. FURTHERMORE, IT IS ACCEPTABLE TO ME/US THAT THE PROPERTY SHALL CONTINUE TO BE USED FOR SUCH PURPOSES.  
I/WE ARE LOCATED 1 block FROM THE SUBJECT PROPERTY.

THANK YOU,

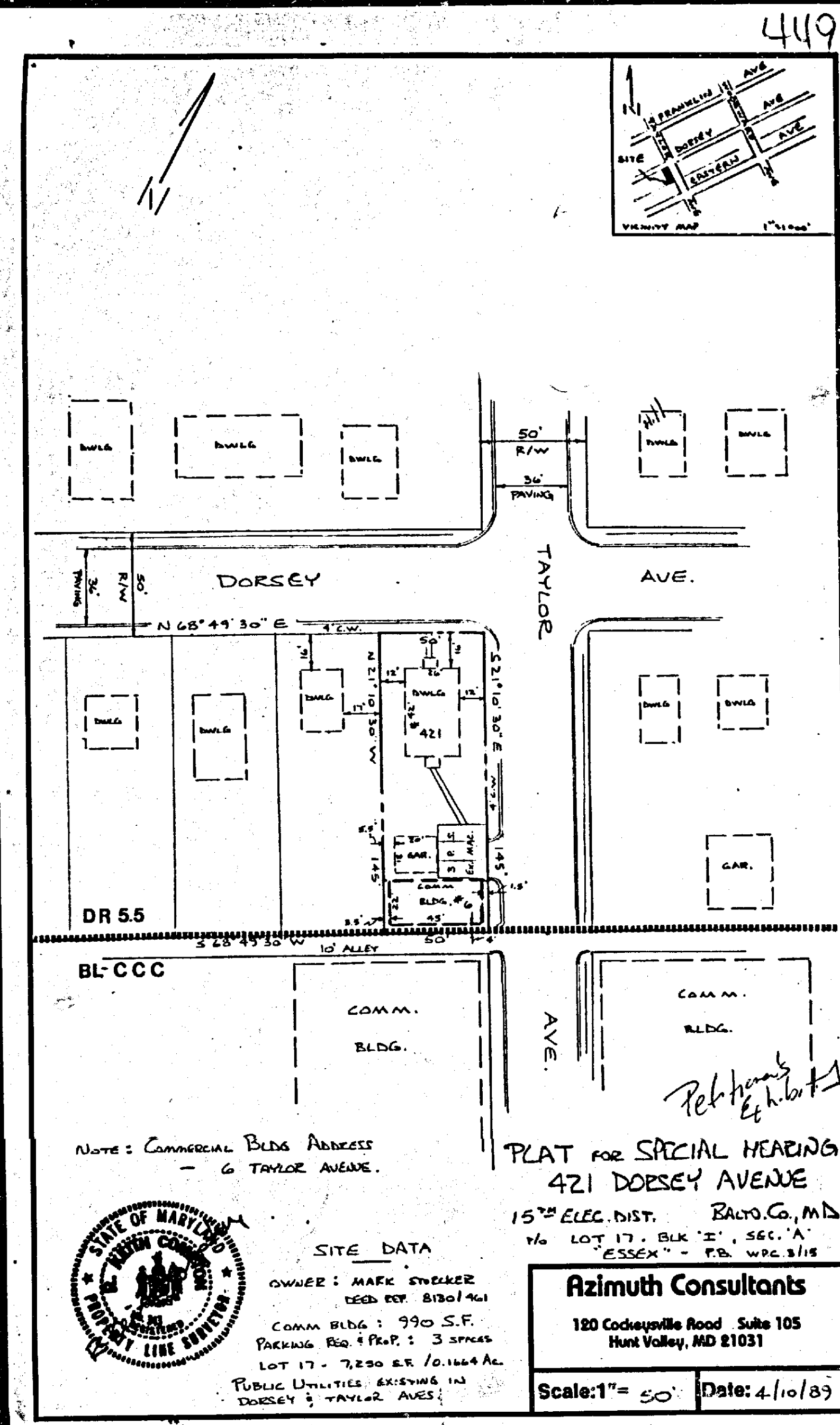
*Colman Johnson*

REMARKS:

*I have known that this property has been comm. for the last 25 yrs. My wife had a barber shop when I was attending school at Univ.*

*Colman Johnson*

*Petitioner's Exhibit 4*



TO WHOM IT MAY CONCERN,  
I/WE THE UNDERSIGNED HAVE OWNED/RESIDED AT THE PROPERTY AT 401 Dorsey Ave Apt 22 A4 FOR APPROXIMATELY 22 YEARS. I/WE ARE AWARE THAT THE BUILDING AT 6 N. TAYLOR AVENUE HAS BEEN USED FOR COMMERCIAL PURPOSES. FURTHERMORE, IT IS ACCEPTABLE TO ME/US THAT THE PROPERTY SHALL CONTINUE TO BE USED FOR SUCH PURPOSES.  
I/WE ARE LOCATED 1 block FROM THE SUBJECT PROPERTY.

THANK YOU,

*Betty F. Wright*

REMARKS:

*I remember when Kate Neimiller had a small grocery store on Taylor Ave. about 1934-1935. Her husband built our house on Margaret Ave. in 1926. I lived in Essex since 1929. I bought candy from Mrs. Kate and took my young girl to Ward's Barber shop.*

*Petitioner's Exhibit 5*



#449

**90-4SPH**

FROM THE DESK OF  
**Ruth Whitfield**

March 7, 1989

Dear Mr. Stoecker,

My parents Mr. and Mrs. Walter H. Ward purchased 21 Dorsey Ave. Chesd. Md. in Sept. 1957.

The reason for the purchase was to provide a Barber shop for dad, and to provide extra income, by renting other portions of the building.

Dad opened the Barber shop soon after transfer of title, and rented to others tenants within a month of the date of purchase.

Sincerely,  
Ruth M. Whitfield

Form No. 68 - January, 1967 Rev. 1-68

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**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

90-H-50A

District... 15TH Date of Posting... 6/28/89

Posted for: Special Hearing

Petitioner: Mrs. William Stoecker

Location of property: SW corner Taylor & Dorsey  
6 Taylor Ave. or HM Dorsey Ave

Location of Signs: Hearing in connection g Dorsey & Taylor corners  
19 E. McJannet or formerly g R.T. Town

Remarks:

Posted by: [Signature] Date of return: 6/30/89

Number of Signs: 1



TO WHOM IT MAY CONCERN,

I/WE THE UNDERSIGNED HAVE OWNED/RESIDED AT THE PROPERTY AT 401 Dorsey Ave Apt A2 A4 FOR APPROXIMATELY 22 YEARS. I/WE ARE AWARE THAT THE BUILDING AT 6 N. TAYLOR AVENUE HAS BEEN USED FOR COMMERCIAL PURPOSES. FURTHERMORE, IT IS ACCEPTABLE TO ME/US THAT THE PROPERTY SHALL CONTINUE TO BE USED FOR SUCH PURPOSES. I/WE ARE LOCATED 1 block FROM THE SUBJECT PROPERTY.

THANK YOU,

Betty F. Wyzanski

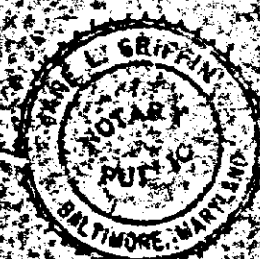
3/15/89  
DATE

REMARKS:

I remember when Kate Hermlinger had a small grocery store on Taylor Ave. about 1934-1935. Her husband built our house on Margaret Ave. in 1926. I lived in some street 1928. I bought candy from Mrs. Kate and took my youngest boy to Wanda Berber's shop.

I/WE VERIFY THAT THE COMMERCIAL USE HAS BEEN CONTINUOUS AND UNINTERRUPTED OTHER THAN CHANGE OF TENANTS AND RENOVATIONS. VACANCY HAS BEEN NO MORE THAN ONE YEAR.

Betty F. Wyzanski



Jane L. Griffin  
My Commission Expires 7/1/90

Exhibit 13

TO WHOM IT MAY CONCERN,

I/WE THE UNDERSIGNED HAVE OWNED/RESIDED AT THE PROPERTY AT 500 Dorsey Ave APPROXIMATELY 48 YEARS. I/WE ARE AWARE THAT THE BUILDING AT 6 N. TAYLOR AVENUE HAS BEEN USED FOR COMMERCIAL PURPOSES. FURTHERMORE, IT IS ACCEPTABLE TO ME/US THAT THE PROPERTY SHALL CONTINUE TO BE USED FOR SUCH PURPOSES. I/WE ARE LOCATED Approx. 100 ft FROM THE SUBJECT PROPERTY.

THANK YOU,

Louise Hill

Mary Hill

4/11/89  
DATE

REMARKS:

We have lived at 500 Dorsey Ave. for approx. 48 years and as far as we can remember, the building at 6 N. Taylor Ave. has always been commercial. There was a grocery store, a Barber Shop and several other small businesses at this location at different times and we had no problems.

I/WE VERIFY THAT THE COMMERCIAL USE HAS BEEN UNINTERRUPTED AND CONTINUOUS OTHER THAN CHANGE IN TENANTS AND RENOVATIONS. VACANCY HAS BEEN NO MORE THAN ONE YEAR.

Louise & Mary Hill



Jane L. Griffin  
My Commission Expires 7/1/90

Exhibit 14

TO WHOM IT MAY CONCERN,

I/WE THE UNDERSIGNED HAVE OWNED/RESIDED AT THE PROPERTY AT 417 Dorsey Ave FOR APPROXIMATELY 45 YEARS. I/WE ARE AWARE THAT THE BUILDING AT 6 N. TAYLOR AVENUE HAS BEEN USED FOR COMMERCIAL PURPOSES. FURTHERMORE, IT IS ACCEPTABLE TO ME/US THAT THE PROPERTY SHALL CONTINUE TO BE USED FOR SUCH PURPOSES. I/WE ARE LOCATED 2 blocks FROM THE SUBJECT PROPERTY.

THANK YOU,

H. Maria Bradley

4/11/89  
DATE

REMARKS:

When Mark took over the property, it was in extreme disrepair. He had much to my delight done extreme repairs to this building.

I/WE VERIFY THAT THE COMMERCIAL USE HAS BEEN UNINTERRUPTED AND CONTINUOUS OTHER THAN CHANGE OF TENANTS AND RENOVATIONS. VACANCY HAS BEEN NO MORE THAN ONE YEAR.

H. Maria Bradley

Jane L. Griffin  
My Commission Expires 7/1/90

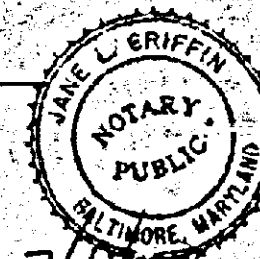


Exhibit 15

TO WHOM IT MAY CONCERN,

I/WE THE UNDERSIGNED HAVE OWNED/RESIDED AT THE PROPERTY AT 316 Dorsey Ave FOR APPROXIMATELY 30 YEARS. I/WE ARE AWARE THAT THE BUILDING AT 6 N. TAYLOR AVENUE HAS BEEN USED FOR COMMERCIAL PURPOSES. FURTHERMORE, IT IS ACCEPTABLE TO ME/US THAT THE PROPERTY SHALL CONTINUE TO BE USED FOR SUCH PURPOSES. I/WE ARE LOCATED 3 blocks FROM THE SUBJECT PROPERTY.

THANK YOU,

William E. Cave

3/15/89  
DATE

REMARKS:

I RESIDED 1/2 BLOCK AWAY AT 514 DORSEY AVE FROM SAID PROPERTY FOR 13 YRS. FROM 1945 TO 1958.

I/WE VERIFY THAT THE COMMERCIAL USE HAS BEEN CONTINUOUS AND UNINTERRUPTED OTHER THAN CHANGE OF TENANTS AND RENOVATIONS. VACANCY HAS BEEN NO MORE THAN ONE YEAR.

William E. Cave

Jane L. Griffin  
Notary  
My Commission Expires 7/1/90



Exhibit 16